

**MINUTES  
PLANNING COMMISSION  
FEBRUARY 6, 2020  
LAKEWOOD CITY HALL  
7:00 P.M.  
AUDITORIUM**

The meeting was called to order at 7:00 p.m.

**1. Roll Call**

Members Present

Kyle Baker, Chair

Nathan Kelly

Kyle Krewson, Vice Chair

Others Present

Katelyn Milius, Planner, P&D, Secretary

Jennifer Swallow, Executive Assistant Law Director

A motion was made by Mr. Kelly, seconded by Mr. Krewson to **EXCUSE** the absence of Monica Rossiter. All the members voting yea, the motion passed.

**2. Approve the Minutes of the January 2, 2020 meeting**

A motion was made by Mr. Kelly, seconded by Mr. Krewson to **APPROVE** the January 2, 2020 minutes. All the members voting yea, the motion passed.

**3. Opening Remarks**

Mr. Baker waived the reading of the Opening Remarks.

**OLD BUSINESS**

**PLANNED DEVELOPMENT**

**4. Docket No. 12-33-19\***

**14503 Madison Avenue**

**St. Clement Church**

Dru Siley, Liberty Development Co., applicant requests approval of a portion of the St. Clement Church campus for the development of 16 for sale townhomes, pursuant to Chapter 1156 – Planned Development. The property is in a C2 – Commercial, Retail district and an R-2 – Single and Two-Family district. (Page 3)

**\*This item is deferred from the February meeting.**

A motion was made by Mr. Kelly, seconded by Mr. Krewson to **DEFER** the request until the March 5, 2020 meeting. All the members voting yea, the motion passed.

**NEW BUSINESS**

**CONDITIONAL USE**

**5. Docket No. 02-02-20**

**12501 Madison Avenue**

**The Nest on Madison**

Jim Miketo, Neighborhood Drummer, applicant requests review for a Conditional Use approval for the complete rehab of the building, will have 18 apartments over three floors, and three first floor retail spaces. Property is in a C2, Commercial, Retail district. Pursuant to section 1129.02 - principal and conditional permitted uses. (Page 7)

Jim Miketo, Neighborhood Drummer, applicant was present to explain the request. Administrative staff ("staff") provided an overview. Public comment was taken. There was discussion between the Planning Commission members ("Commission") and the applicant about the repaving of the parking lot, designate and reserve the residential parking spaces with one spot for the coffee shop, historic tax credits for the National Registry, method of deliveries for commercial and residential tenants. The Commission said the project met the expectations of the code, was a terrific project, and complemented the neighborhood.

A motion was made by Mr. Kelly, seconded by Mr. Baker to **APPROVE** the request as presented. All the members voting yea, the motion passed.

## **PARKING PLAN**

### **6. Docket No. 02-03-20 13229 Madison Avenue Lakewood Public Library**

James Shook, HBM Architects, applicant requests review parking plan review for renovation and expansion of existing library, reconfiguration of parking area, drive access, and landscaping improvements. Property is in a C2, Commercial, Retail district. Pursuant to section 1143.09 - parking plan review. (Page 30)

James Shook, HBM Architects, applicant and Michael Artbauer, President of the Lakewood Library Board of Trustees were present to explain the request. Staff provided an overview. Public comment was taken. The proposed trees species were black gum and tupelo, the sorrel maple tree would be removed, and three ornamental trees along the east would remain; the detailed landscaping and lighting plans would be presented to the ABR (Architectural Board of Review) at its February 13, 2020 meeting. The stormwater issue was being discussed with the City Engineer. The Commission liked the proposal.

A motion was made by Mr. Kelly, seconded by Mr. Baker to **APPROVE** the request as presented. All the members voting yea, the motion passed.

Items 7 and 8 were called together – same applicant and project
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### **7. Docket No. 02-04-20 11714 / 11716 Nelson Court Emerald Development & Economic Network, Inc.**

Richard Carr, Emerald Development & Economic Network, Inc., applicant requests parking plan review for an apartment complex. Property is in an R2, Single and Two-Family district. Pursuant to sections 1143.09 - parking plan review and 1143.10 - exceptions to required minimums. (Page 41)

## **CONDITIONAL USE**

### **8. Docket No. 02-05-20 11714 / 11716 Nelson Court Emerald Development & Economic Network, Inc.**

Richard Carr, Emerald Development & Economic Network, Inc., applicant requests review of rehabilitation of two existing buildings. Reconfigure of existing one-bedroom units and one new ADA unit, addition of two new two-bedroom units on third floor of each building. Property is located in an R-2, Single and Two-Family district. Pursuant to section 1149.03 - non-conforming use of structures o structures and land in combination. (Page 49)



Richard Carr, Emerald Development & Economic Network, Inc., applicant, and Brian Grambort, Architect were present to explain the requests. Staff provided an overview of both proposals. Public comment was closed as not one addressed the issues. The Commission asked about stormwater, turning radius of cars parked in the rear lot. The project would be presented to ABR for lighting and other approvals. Staff said it would be reviewed by the Fire Department prior to issuance of permits. The Commission wanted to see bicycle parking in the parking plan and expressed concern about density and future ownership. The applicant replied it was a minimum thirty-year commitment based on funding.

A motion was made by Mr. Baker, seconded by Mr. Krewson to **APPROVE Docket No. 02-04-20 (Parking Plan)** with the following condition(s):

- There are three parking spaces
- Comply with ADA parking requirements to determine the number of spaces
- Include a bike rack in the parking plan.

Mr. Baker and Mr. Krewson voting yea, Mr. Kelly voting nay, the motion passed.

A motion was made by Mr. Baker, seconded by Mr. Kelly to **APPROVE Docket No. 02-05-20 (Conditional Use)** as presented. All the members voting yea, the motion passed.

Mr. Kelly explained his reasoning for opposing the parking plan.

## **ADJOURN**

A motion was made by Ms. Baker, seconded by Mr. Kelly to **ADJOURN** the meeting at 7:58 P.M. All the members voting yea, the motion passed.

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Mr. Kelly left the session due to a prior engagement. It was announced there would be a preliminary discussion regarding the COMMUNICATION, Docket No. 02-06-20. No vote would occur until the meeting in March.

## **COMMUNICATION**

### **9. Docket No. 02-06-20 Accessory Dwelling Units (ADUs)**

Communication from City Staff on the proposed process to study accessory dwelling units (ADUs) in Lakewood, as requested by the Planning Commission members at their meeting on December 5, 2019. ADUs were also recommended by the Resiliency Task Force in the Action Guide. (Page 57)

The Planning Department proposed questions and a process for the study of ADU's. Discussion with Planning Commission members included areas of focus for further research. Mr. Krewson, presented a research paper he wrote in 2012 titled, "Zoning for the Elderly in Lakewood: Proposed Ordinances Changes to Support the Aging Population."

Public comment was taken. Councilmember Jason Shachner was there to endorse the research with a focus on aging in place. Resident, Richard Peck, also spoke in support and is the author of a blog about Accessory Dwelling Units as an option for seniors to age in place. Another attendee brought up adult children with disabilities who need more independence but can't live on their own.

The Planning Department will deliver an update on their research this summer.

Katelyn Milius  
Signature (on behalf of chair)

5/18/20  
Date



### Oath

*(You need not give an oath if you object. If you object to giving an oath, please notify the hearing officer or secretary before signing below.)*

I, the undersigned, hereby solemnly swear that the testimony I give at this proceeding will be the truth, the whole truth and nothing but the truth:

PRINT NAME:

SIGN NAME:

1. Jim Miket  
2. Mary Pionas  
3. Michael Peterson  
4. James Shook - Home  
5. Mark Slater  
6. Richard Carr  
7. BRIAN GRABOFF  
8. Richard Carr  
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Prepared by: The City of Lakewood Law Department, 12650 Detroit Ave., Lakewood, Ohio 44107

FOR CITY USE ONLY

Lakewood Administrative Procedure: ☐ ABR/BBS ☐ Citizens Advisory ☐ Civil Svc. ☐ Dangerous Dog ☐ Income Tax Appeals ☐ Loan Approval ☐ Nuisance Abatement Appeals ☐ Parking ☒ Planning ☐ Zoning Appeals ☐ Other:

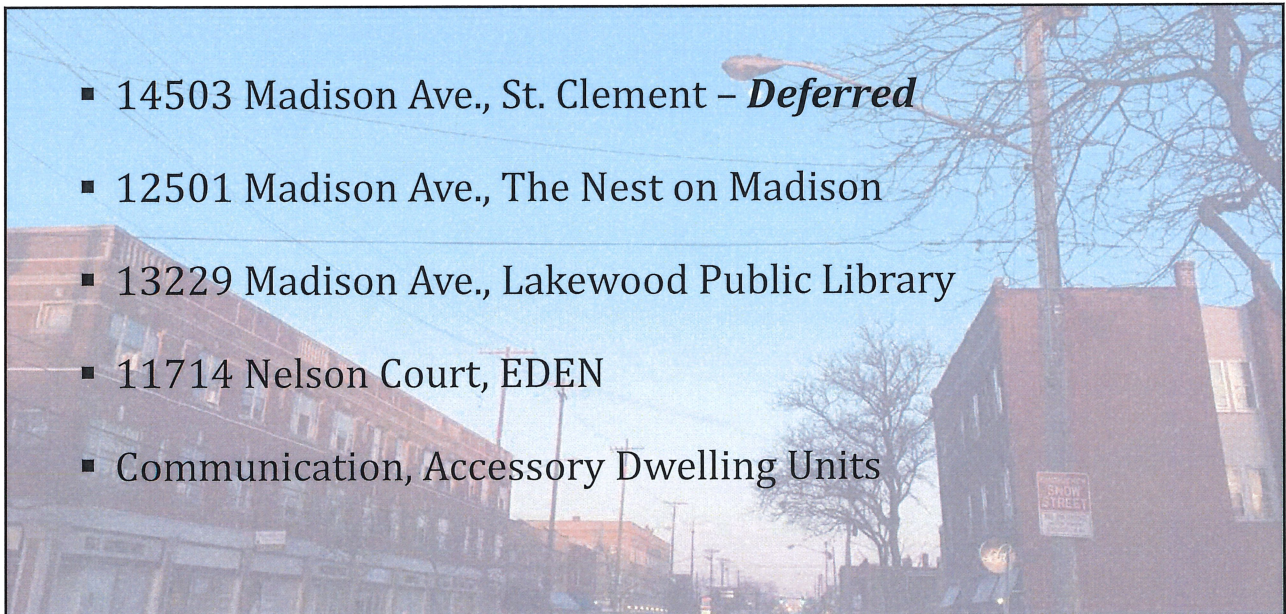
Date of Proceeding: Thursday, February 6, 2020





**Planning Commission**  
February 6, 2020

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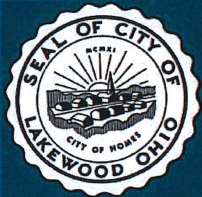


- 14503 Madison Ave., St. Clement – *Deferred*
- 12501 Madison Ave., The Nest on Madison
- 13229 Madison Ave., Lakewood Public Library
- 11714 Nelson Court, EDEN
- Communication, Accessory Dwelling Units

**Agenda**

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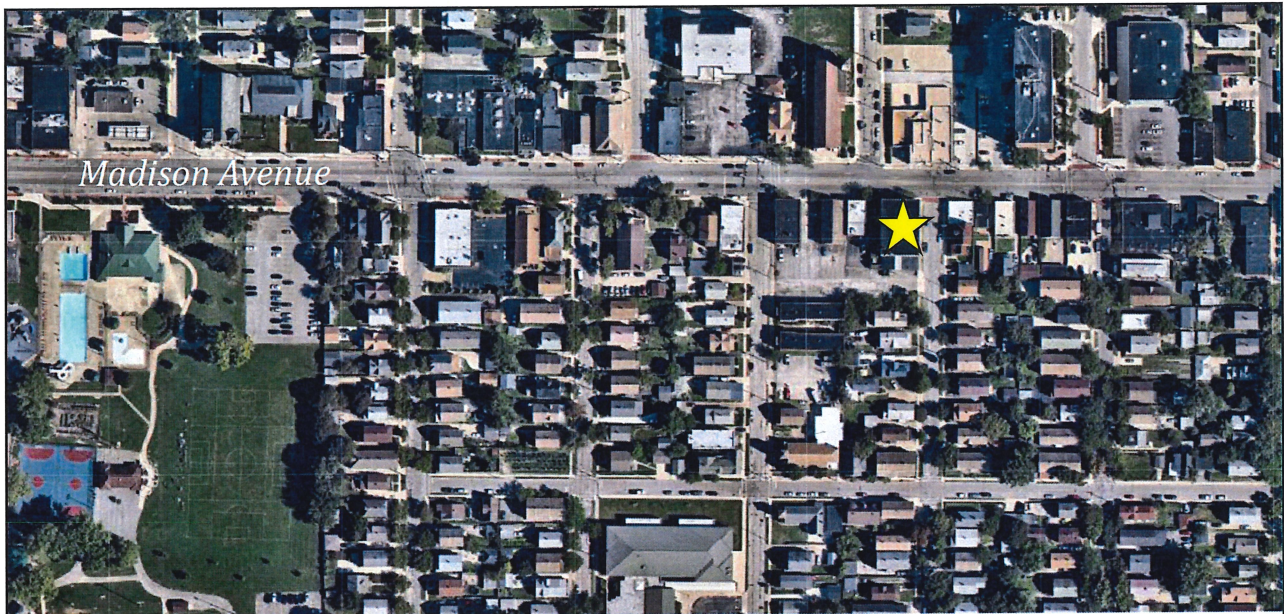




Docket No. 02-02-20  
12501 Madison Avenue

## THE NEST ON MADISON

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12501 Madison Avenue  
1135 – MUOD Conditional Use

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## Request

The review and approval of a Conditional Use for a mixed-use overlay district. The project is a complete rehab of 12501 Madison Avenue, with 18 apartments on the first, second and third floor, and three first floor retail spaces. Property is in a C2, Commercial, Retail district. Pursuant to Chapter 1135 – mixed use overlay district.

12501 Madison Avenue  
1135 – MUOD Conditional Use

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### 1135.01 PURPOSE.

(a) The purpose of the Mixed Use Overlay District is to provide a mechanism to **accommodate development reuse and redevelopment in specified locations, which is in the public interest and may not otherwise be permitted pursuant to this Code.**

(c) A Mixed Use Overlay District should offer one (1) or more of the following advantages:

(1) **Designs in residential and commercial areas that reflect the City's development and planning policies as set forth in this Code and that are consistent with the Vision.**

(2) **Designs that are intended to encourage flexibility, innovation, and creativity in site and development design by allowing the mixing of permitted uses and/or modification or variation from otherwise applicable zone district and development standards.**

(3) **Designs which encourage a mix of retail, service, office, housing, live-work units, and public activities to coexist in a manner that reflects human scale and emphasizes pedestrian orientation, taking advantage of the vitality that mixed uses can bring to the community.**

### Structural Requirements.

- ✓ A. Mixed Use Overlay proposals must contain a residential component.
- ✓ B. Maintain form and scale of building being re-purposed.
- ✓ C. The primary design objective for the Mixed Use Overlay District are to reflect the area's architectural significance/character, while promoting the pedestrian scale environment. The design must be compatible with the neighborhood.
- ✓ D. The principal or primary entrance to a non-residential structure must be located on the building front.

12501 Madison Avenue  
1135 – MUOD Conditional Use

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### Community Vision

- Repurposes or renovates obsolete and vacant retail spaces
- Strives for commercial buildings that have a mix of uses
- Preserves and respects historic context in commercial development projects

12501 Madison Avenue  
1135 – MUOD Conditional Use

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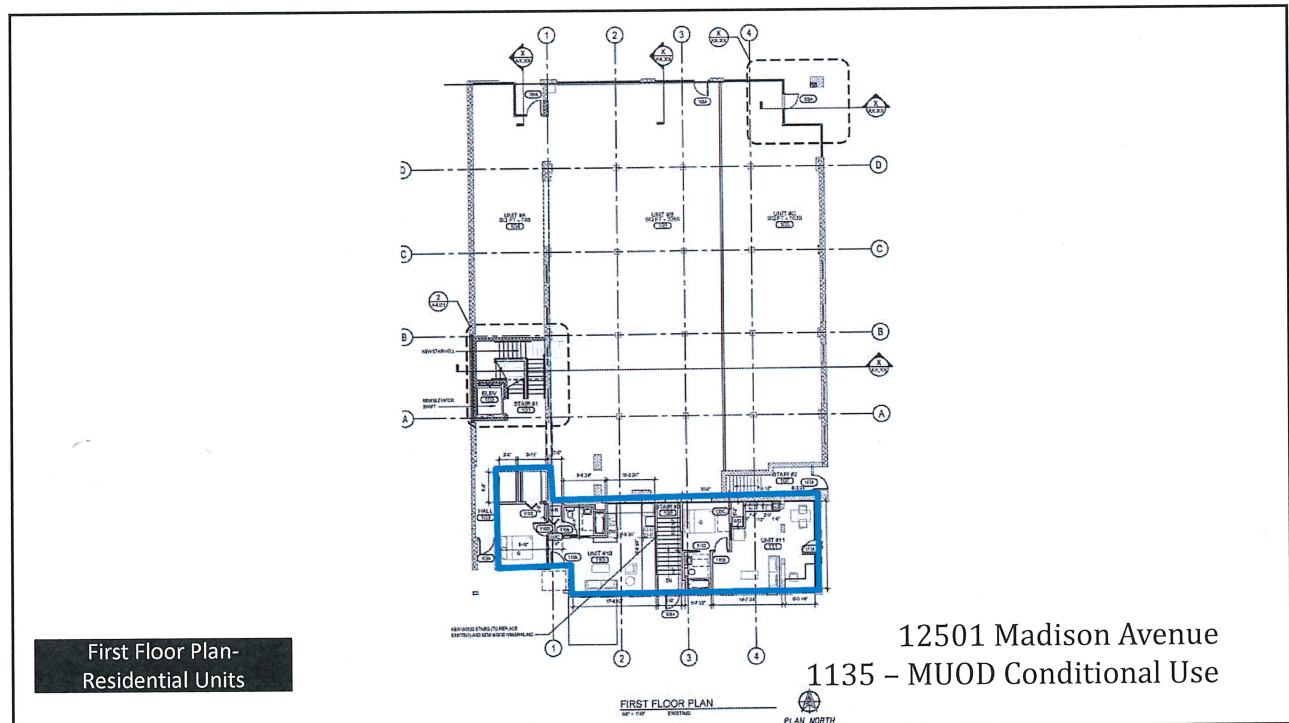


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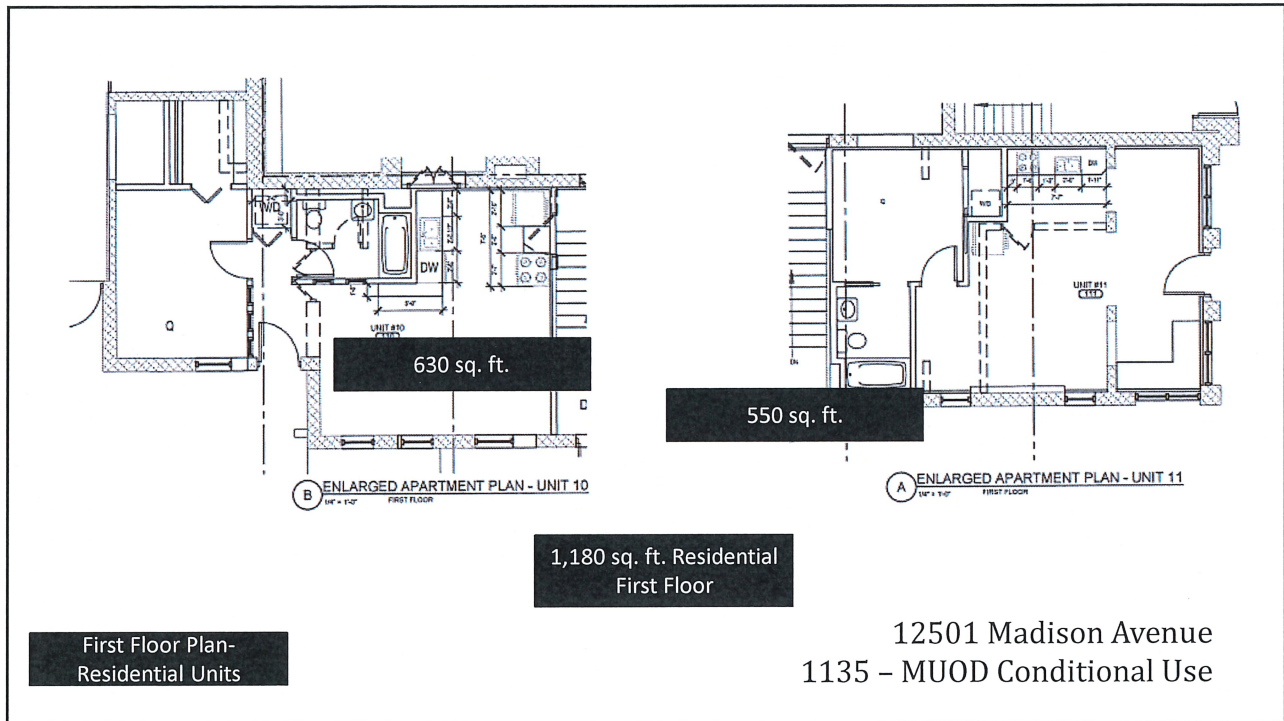


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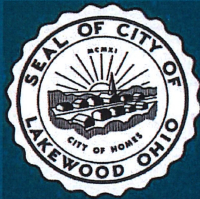


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Docket No. 02-03-20  
13229 Madison Avenue

## LAKEWOOD PUBLIC LIBRARY, MADISON BRANCH

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13229 Madison Avenue  
Parking Plan Review

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## Request

The review of a parking plan for renovation and expansion of existing library, reconfiguration of parking area, drive access, and landscaping improvements. Property is in a C2, Commercial, Retail district. Pursuant to section 1143.09 - parking plan review.

13229 Madison Avenue  
Parking Plan Review

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## Community Vision

- Uses surface parking efficiently, minimizing its visual and functional impacts
- Pursues creative solutions to meet parking demands
- Supports the libraries as spaces for lifelong learning opportunities and access to technology

13229 Madison Avenue  
Parking Plan Review

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(c) **Institutional:** includes buildings of all types and facilities used by public, quasi-public or nonprofit agencies that serve or assist the public or provide an accepted public purpose, including hospitals and health centers.

(e) **Public Assembly:** includes all buildings or portions of buildings, used for **gathering together 100 or more persons** for such purposes as deliberation, worship, entertainment, eating, drinking or amusement. Examples of assembly include, but are not limited to, large meeting rooms and classrooms, auditoriums with fixed or loose chair seating, multi-purpose rooms, concert halls, and theaters. Restaurants, or other rooms used primarily for the service of food are not places of public assembly.

Institutional	
Elementary, Secondary and High Schools, College, Trade School	As required by the Commission per Section <a href="#">1143.09</a>
Church	As required by the Commission per Section <a href="#">1143.09</a>
Hospital	As required by the Commission per Section <a href="#">1143.09</a>
Public Recreation	As required by the Commission per Section <a href="#">1143.09</a>
Other	
Public Assembly	As required by the Commission per Chapter <a href="#">1143</a>

13229 Madison Avenue  
Parking Plan Review

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**1143.09 PARKING PLAN REVIEW: PLANNING COMMISSION.**

(a) The Commission shall review applications for parking plans that do not meet the set schedule in 1143.05. In addition to Section 1143.09 and Section 1143.10, the Commission may consider the following when reviewing an application:

**(2) Available surface parking lots in the neighborhood that could be used for shared parking;** 2 Public Lots at Madison Park

**(5) Total number of employees:** 5 maximum, currently find street parking

**(6) Alternative forms of transportation available in the neighborhood;** Bus/Bike/Walking

**(7) Implementation of bicycle facilities, including but not limited to, bicycle racks, covered bicycle parking, and shower facilities for employees;** 2 new bike racks proposed

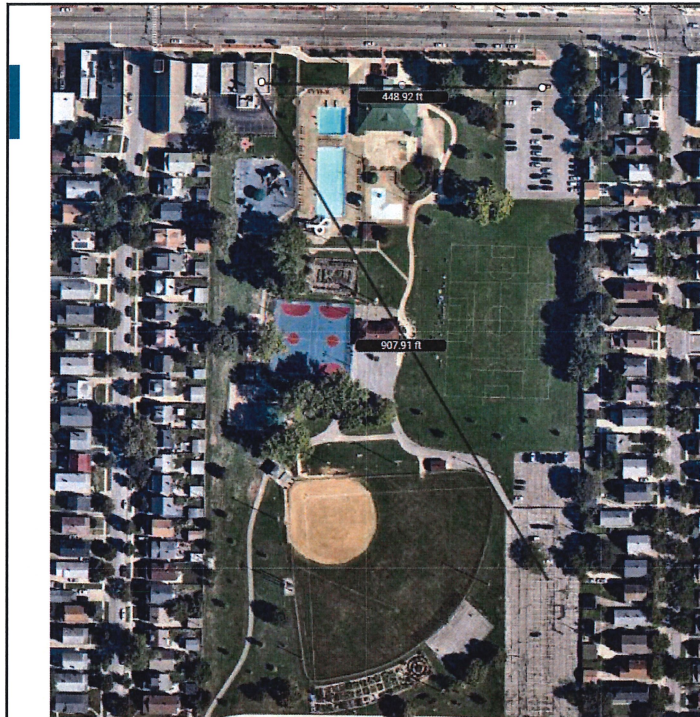
**(10) For uses defined as Institutional or Public Assembly in Schedule 1143.05, the following guidelines:**

**A. One space for each 80 square feet of all auditoria and public assembly rooms: and**

**B. One space for each employee.**

13229 Madison Avenue  
Parking Plan Review

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**1143.10 EXCEPTIONS TO REQUIRED MINIMUMS.**

The number of parking spaces required may be reduced in accordance with the following credits as determined by the Commission when reviewing an application for a reduction to the minimum number of parking spaces required per Schedule 1143.05.

(a) For uses defined as Commercial in Section 1143.04, the Commission may consider the following:

**(3) One space credit for each space in a parking lot or parking structure provided for public use located within 1,000 feet, as measured by using the shortest pedestrian route from the nearest corner of the parking lot or structure to the main public entrance of the use served.**

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Docket No. 02-04-20 & 02-05-20

11714 / 11716 Nelson Court

## EMERALD DEVELOPMENT & ECONOMIC NETWORK, INC.

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11714 / 11716 Nelson Court  
Parking Plan Review & Expansion of a Non-Conformity

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## Requests

1. The parking plan review for an apartment complex. Property is in an R2, Single and Two-Family district. Pursuant to sections 1143.09 - parking plan review and 1143.10 - exceptions to required minimums.
2. The review and approval of rehabilitation of two existing buildings. Reconfigure of existing one-bedroom units and one new ADA unit, addition of two new two-bedroom units on third floor of each building. Property is located in an R-2, Single and Two-Family district. Pursuant to section 1149.03 - non-conforming use of structures or structures and land in combination.

11714 / 11716 Nelson Court  
Parking Plan Review & Expansion of a Non-Conformity

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### 1149.03 NON-CONFORMING USE OF STRUCTURES OR STRUCTURES AND LAND IN COMBINATION.

If lawful use involving individual structures with a replacement cost of \$3,000.00 or more, or of structures and land in combination, exists at the effective date of adoption or amendment of this Code that would not be allowed in the district under the terms of this Code, the lawful use may be continued so long as it remains otherwise lawful, subject to the following provisions:

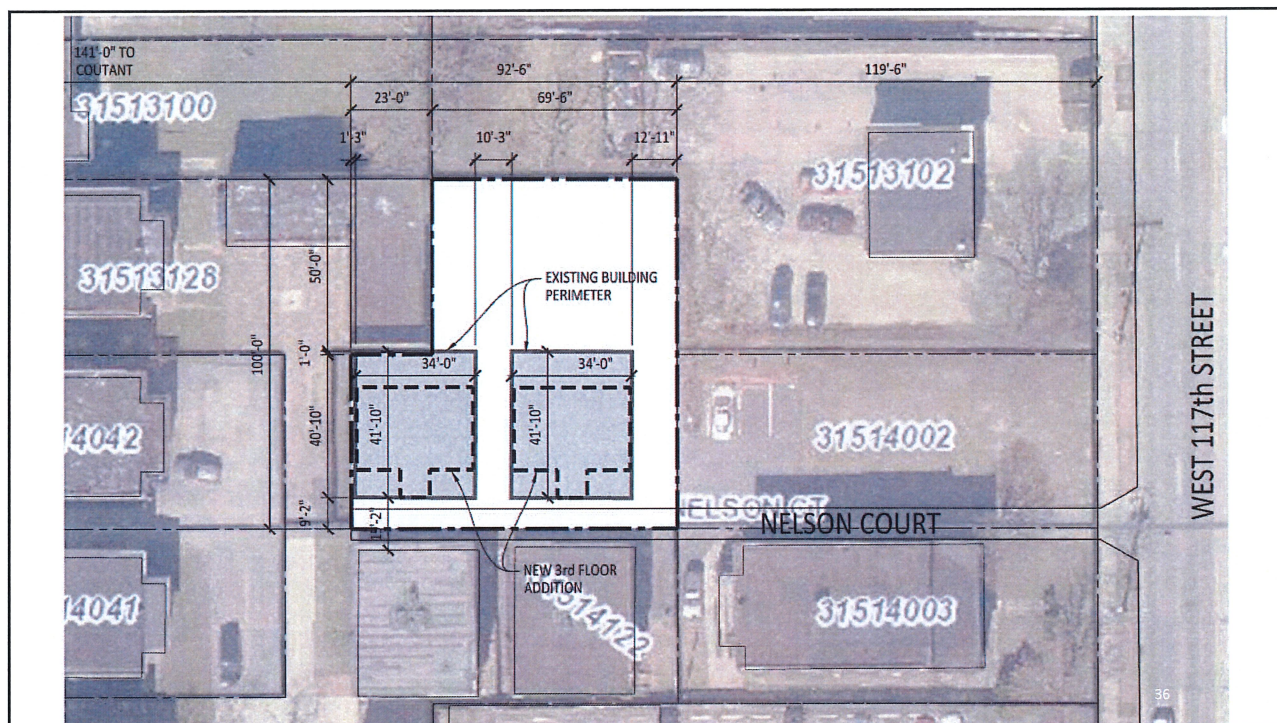
**(a) The Commission may, at public hearing and following the notice procedures for use variance(s) set forth in Section 1173.04, authorize the expansion of a non-conforming structure or use a maximum of 2,000 square feet or up to twenty percent (20%) of the existing floor area, whichever is greater, where the Commission finds:**

- (1) That side and rear yards a minimum of ten (10) feet wide/deep will be maintained along lot lines abutting conforming uses; the Commission may require larger side or rear yards where necessary to effectively insulate abutting conforming uses from the non-conforming use.
- (2) That landscaping and screening, approved by the Architectural Board of Review pursuant to Chapter 1141, will be provided.
- (3) That expansion of the non-conforming use will not have a substantial negative impact on the surrounding area; when determining whether the expansion will have a substantial negative impact, the Commission may consider, but is not limited to, the following:
  - A. Traffic patterns and generation, including on-site loading and unloading areas;
  - B. Parking;
  - C. Lighting;
  - D. Whether there will be a substantial increase in the generation of noise, vibrations, or fumes; and
  - E. Existing public services.

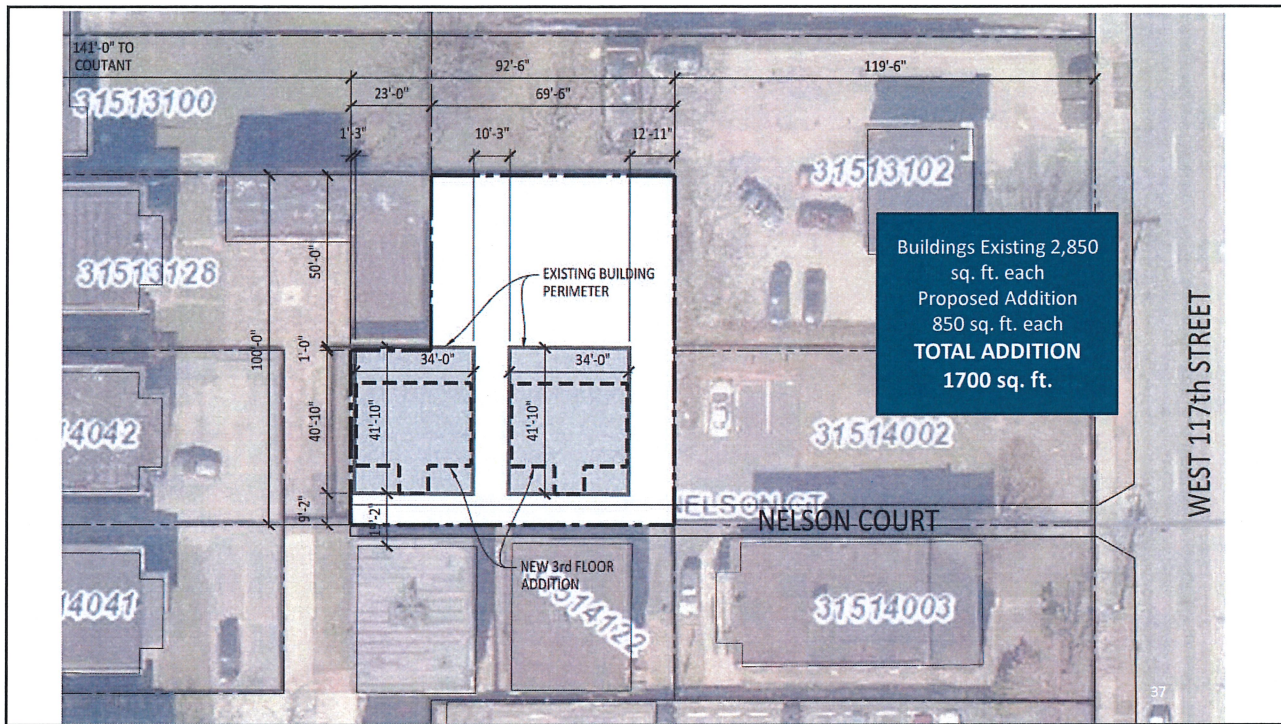
When considering whether to authorize the expansion, the Commission may consider any other factors it deems relevant.

11714 / 11716 Nelson Court  
Parking Plan Review & Expansion of a Non-Conformity

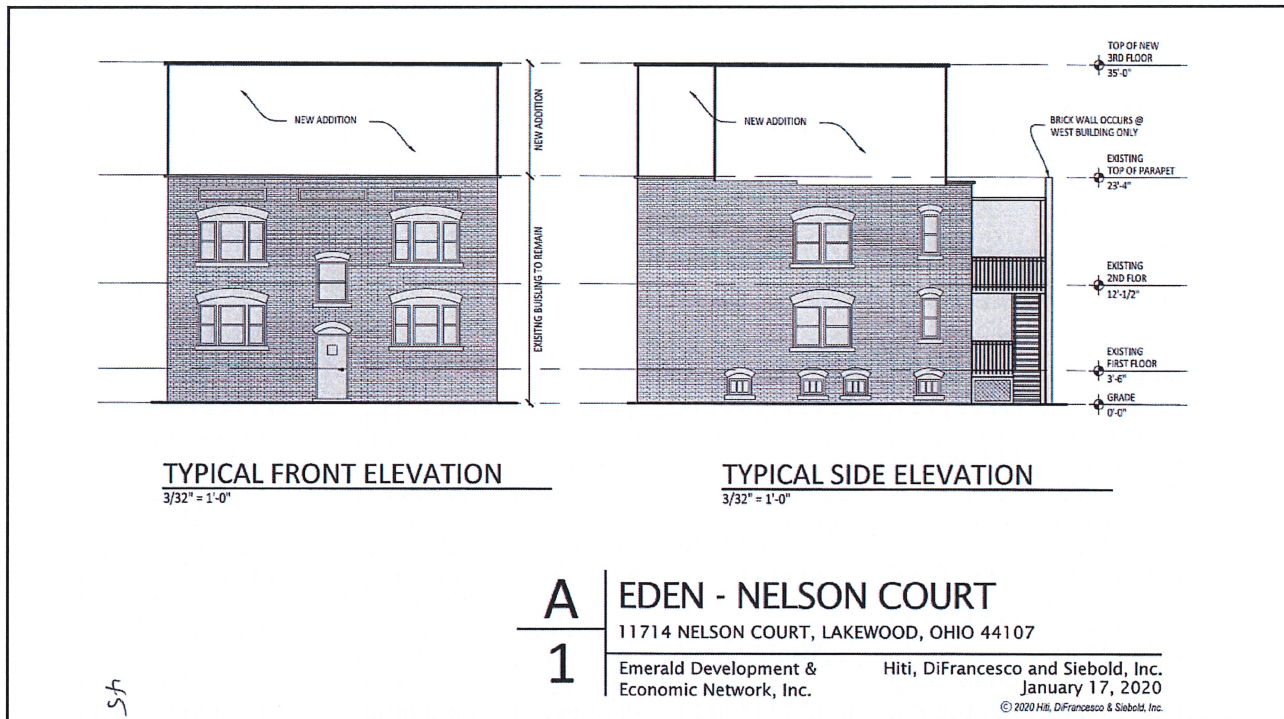
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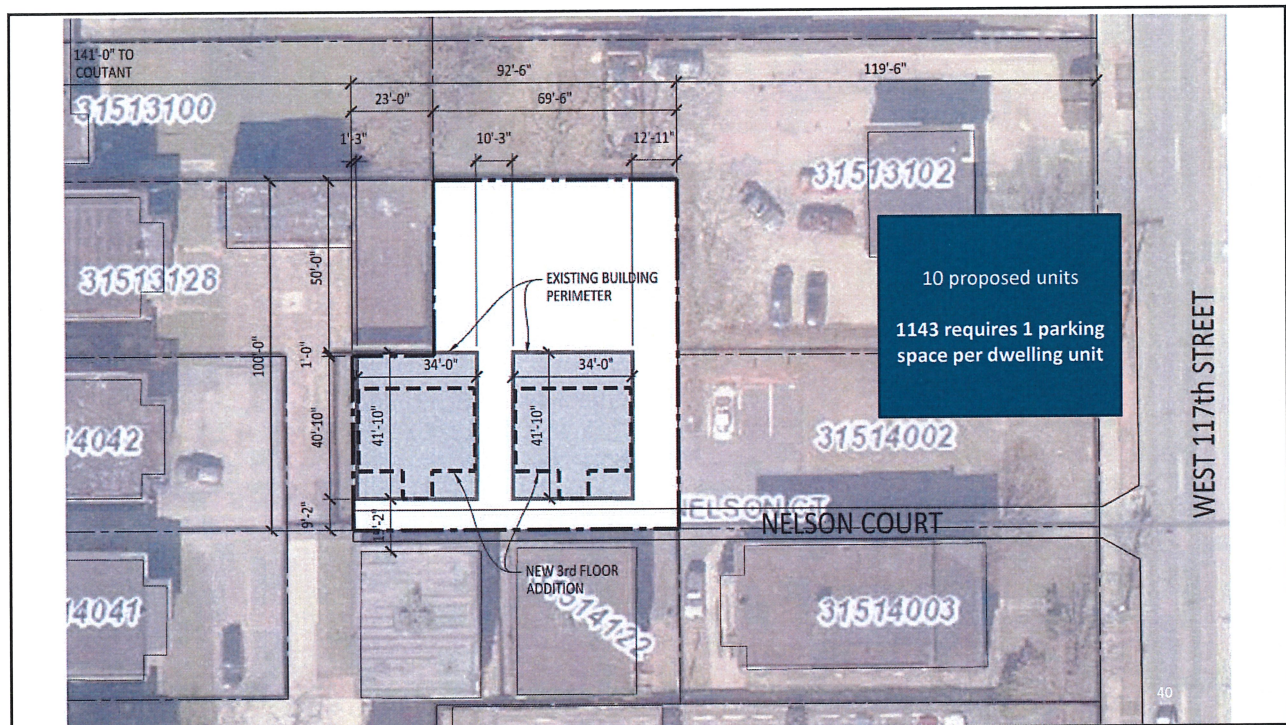


## Community Vision

- Encourages development of a diverse housing stock that meets the needs of all residents including seniors, low/moderate income families, and special needs households
- Supports and creates affordable housing for a diversity of incomes and lifestyle needs

11714 / 11716 Nelson Court  
Parking Plan Review & Expansion of a Non-Conformity

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#### 1143.10 EXCEPTIONS TO REQUIRED MINIMUMS.

(b) For uses defined as Residential in Section 1143.04, the Commission may consider the applicant's implementation of an improvement to the property that aligns with the general goals and objectives as described in the Vision including, but not limited to, the following:

- (1) Improvements to the property that may reduce carbon emissions and improve energy efficiency using environmental best management practices (BMPs) promulgated by the Environmental Protection Agency;
- (2) Storm water management techniques such as bio-swales, rain gardens, and pervious pavements;
- (4) An innovative landscaping plan, considered to be over and above the landscaping requirements as typically required by the Architectural Board of Review, which may include plant, flower and tree type, size, design, location and irrigation;

11714 / 11716 Nelson Court  
Parking Plan Review & Expansion of a Non-Conformity

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#### 1143.09 PARKING PLAN REVIEW: PLANNING COMMISSION.

(a) The Commission shall review applications for parking plans **that do not meet the set schedule in 1143.05. In addition to Section 1143.09 and Section 1143.10, the Commission may consider the following when reviewing an application:**

- (1) Impact on central character of residential neighborhoods taking on overflow parking;
- (2) Available surface parking lots in the neighborhood that could be used for shared parking;
- (3) Similarly scaled projects throughout the City to compare parking footprint;
- (6) Alternative forms of transportation available in the neighborhood;**
- (7) Implementation of bicycle facilities, including but not limited to, bicycle racks, covered bicycle parking, and shower facilities for employees;
- (8) Peak demand for parking spaces from all uses compared to the total supply of spaces:**

11714 / 11716 Nelson Court  
Parking Plan Review & Expansion of a Non-Conformity

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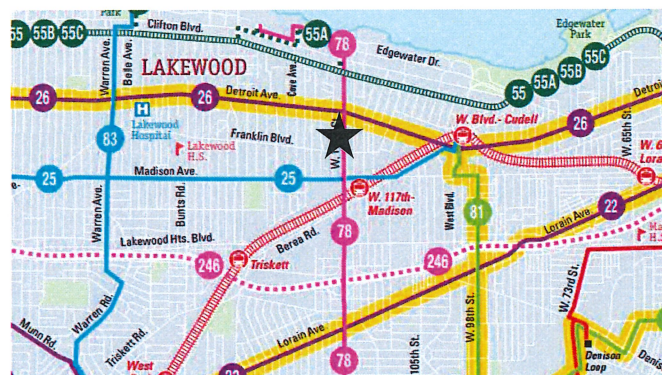


11714 / 11716 Nelson Court  
Parking Plan Review & Expansion of a Non-Conformity

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#### FINDINGS

- Near numerous RTA routes.
- Considered “Very Walkable” and “Very Bikeable” by Walkscore.
- None of the residents have personal vehicles.
- Peak parking would be for caseworkers, visitors, and maintenance.



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## Community Vision

- Uses surface parking efficiently, minimizing its visual and functional impacts
- Pursues creative solutions to meet parking demands

11714 / 11716 Nelson Court  
Parking Plan Review & Expansion of a Non-Conformity

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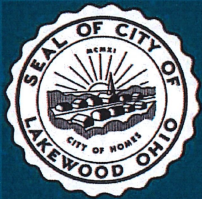
## Requests

1. The parking plan review for an apartment complex. Property is in an R2, Single and Two-Family district. Pursuant to sections 1143.09 - parking plan review and 1143.10 - exceptions to required minimums.
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11714 / 11716 Nelson Court  
Parking Plan Review & Expansion of a Non-Conformity

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Docket No. 02-06-20  
Communication

## ACCESSORY DWELLING UNITS (ADUS)

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### Communication

Communication from City Staff on the proposed process to study accessory dwelling units (ADUs) in Lakewood, as requested by the Planning Commission members at their meeting on December 5, 2019. ADUs were also recommended by the Resiliency Task Force in the Action Guide.

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## Why?

### Community Vision:

- Encourages development of a diverse housing stock that meets the needs of all residents including seniors, low/moderate income families, and special needs households
- Permits new and infill development which is complementary to the scale and character of surrounding residential uses, integrates sustainable practices, and reflects Universal Design principles

### Action Guide:

Action	Discussion	Responsible Department
Create alternatives to residential garage requirements in zoning code	The current housing market is putting pressure on Lakewood being able to provide a diverse range of housing choices that match household budgets, size, and other needs. Given this consistent pressure, the City should evaluate accessory dwelling units (ADUs) as well as current zoning requirements that mandate off-street parking on site.	Planning / City Council

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## Questions for discussion

Why ADUs?

What do we mean by ADUs?

Are we considering units attached to the principal structure ADUs?

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### Questions to Research

How does the building department review this?

How do ADUs fit into current zoning code and interpretation on number of units?

Define ADUs, granny flat, in-law suite, etc.

How does the fire code look at this?

How do lot sizes impact suitability of ADUs?

How does this impact parking?

How are ADU's taxed?

How are these hooked up to utilities?

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### Process

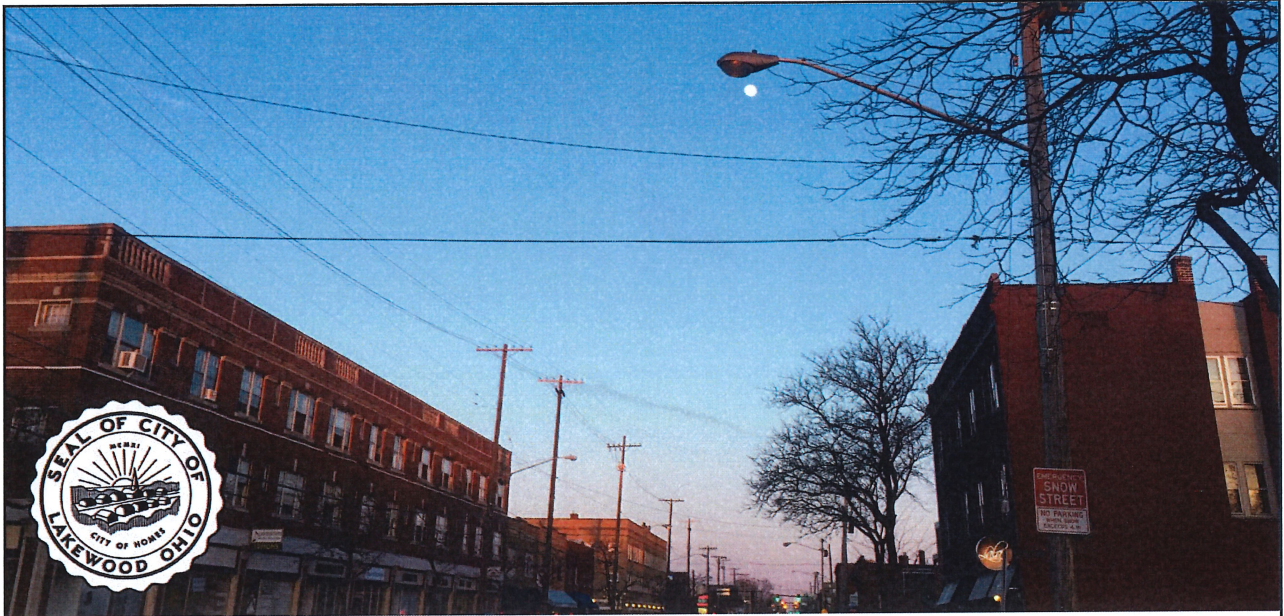
**February through April** - Study of ADU examples and policies in similar cities.

**April** - Creation of a case studies and summary specific to Lakewood with recommendations.

**May/June** - Report out to Planning Commission.

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**Planning Commission**  
February 6, 2020